

OFFICE OF THE STATE CONTROLLER
STATE MANDATED COSTS CLAIMING INSTRUCTIONS NO. 2006-24
PUPIL EXPULSIONS FROM SCHOOL: ADDITIONAL HEARING COSTS FOR
MANDATORY RECOMMENDATIONS FOR EXPULSION

October 6, 2006

In accordance with Government Code (GC) section 17561, eligible claimants may submit claims to the State Controller's Office (SCO) for reimbursement of costs incurred for state mandated cost programs. The following are claiming instructions and forms that eligible claimants will use for filing claims for the Pupil Expulsions from School: Additional Hearing Costs for Mandatory Recommendations for Expulsion (PES) program. These claiming instructions are issued subsequent to adoption of the program's Parameters and Guidelines (P's & G's) by the Commission on State Mandates (COSM).

On May 26, 2005, the COSM determined that test claim legislation established costs mandated by the State according to the provisions listed in the P's & G's. For your reference, the P's & G's are included as an integral part of the claiming instructions.

Limitation

These parameters and guidelines are operative for initial reimbursement claims filed for increased costs beginning on October 11, 1993, through June 30, 2006.

Costs for this program that have been claimed for fiscal years 1993-1994 through 2005-2006 pursuant to SCO's claiming instructions for program 176 may not be claimed and are not reimbursable under these P's & G's.

Eligible Claimants

Any "school district" as defined in GC section 17519, except for community colleges, which incurs increased costs as a result of this mandate, is eligible to claim reimbursement. Charter schools are not eligible claimants.

Filing Deadlines

A. Reimbursement Claims

Initial reimbursement claims must be filed within 120 days from the issuance date of claiming instructions. Actual costs incurred for this program are reimbursable for the period October 11, 1993, to June 30, 1994, and fiscal years 1994-95 through 2005-06 and must be filed with SCO and be delivered or postmarked on or before **February 5, 2007**. Actual claims for the 2006-07 fiscal year and estimated claims for the 2007-08 fiscal year may be filed on or before **January 15, 2008**, before a late penalty is assessed.

In order for a claim to be considered properly filed, it must include any specific supporting documentation requested in the instructions. **Claims filed more than one year after the deadline or without the requested supporting documentation will not be accepted.**

B. Late Penalty

1. Initial Claims

AB 3000, enacted into law on September 30, 2002, amended the late penalty assessments on initial claims. Late initial claims submitted **on or after September 30, 2002**, are assessed a late penalty of 10% of the total amount of the initial claims **without limitation**.

2. Annual Reimbursement Claims

All late annual reimbursement claims are assessed a late penalty of 10% subject to the \$1,000 limitation regardless of when the claims were filed.

C. Estimated Claims

Unless otherwise specified in the claiming instructions, school districts are not required to provide cost schedules and supporting documents with an estimated claim if the estimated amount does not exceed the previous fiscal year's actual costs by more than 10%. Claimants can simply enter the estimated amount on form FAM-27, line (07).

However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, the supplemental claim forms must be completed to support the estimated costs as specified for the program to explain the reason for the increased costs. If no explanation supporting the higher estimate is provided with the claim, it will automatically be adjusted to 110% of the previous fiscal year's actual costs. Future estimated claims filed with the SCO must be postmarked by January 15 of the fiscal year in which costs will be incurred. Claims filed timely will be paid before late claims.

Minimum Claim Cost

GC section 17564(a) provides that no claim shall be filed pursuant to Sections 17551 and 17561, unless such claim exceeds one thousand dollars (\$1,000).

Reimbursement of Claims

To be eligible for mandated cost reimbursement for any fiscal year, only actual costs may be claimed. Actual costs are those costs incurred to implement the mandated activities. These costs must be traceable and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at, or near, the same time the actual cost was incurred for the event or activity in question.

Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts. Evidence corroborating the source documents may include, but is not limited to, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, training packets, and declarations. It may also include data relevant to the reimbursable activities otherwise in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

Certification of Claim

In accordance with the provisions of GC section 17561, an authorized officer of the claimant shall be required to provide a certification of claim stating: "I certify, (or declare), under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of the Code of Civil Procedure section 2015.5, for those costs mandated by the State and contained herein.

Audit of Costs

All claims submitted to the SCO are reviewed to determine if costs are related to the mandate, are reasonable and not excessive, and the claim was prepared in accordance with the SCO's claiming instructions and the P's & G's adopted by the COSM. If any adjustments are made to a claim, a "Notice of Claim Adjustment" specifying the claim component adjusted, the amount adjusted, and the reason for the adjustment, will be mailed within 30 days after payment of the claim.

Pursuant to GC section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a school district for this mandate is subject to the initiation of an audit by the SCO no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the SCO to initiate an audit shall commence to run from the date of initial payment of the claim.

In any case, an audit shall be completed no later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities must be retained during the period subject to audit. If an audit has been initiated by the SCO during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings. On-site audits will be conducted by the SCO as deemed necessary.

Retention of Claiming Instructions

The claiming instructions and forms in this package should be retained permanently in your Mandated Cost Manual for future reference and use in filing claims. These forms should be duplicated to meet your filing requirements. You will be notified of updated forms or changes to claiming instructions as necessary.

Questions, or requests for hard copies of these instructions, should be faxed to Angie Lowi-Teng at (916) 323-6527 or e-mailed to **LRSDAR@sco.ca.gov**. Or, if you wish, you may call the Local Reimbursements Section at (916) 324-5729.

For your reference, these and future mandated costs claiming instructions and forms can be found on the Internet at www.sco.ca.gov/ard/local/locreim/index.shtml.

Address for Filing Claims

Claims should be rounded to the nearest dollar. Submit a signed original and a copy of form FAM-27, Claim for Payment, and all other forms and supporting documents. **(To expedite the payment process, please sign the form in blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**

Use the following mailing addresses:

If delivered by

U.S. Postal Service:

Office of the State Controller

Attn: Local Reimbursements Section

Division of Accounting and Reporting

P.O. Box 942850

Sacramento, CA 94250

If delivered by

other delivery services:

Office of the State Controller

Attn: Local Reimbursements Section

Division of Accounting and Reporting

3301 C Street, Suite 500

Sacramento, CA 95816

ADOPTED PARAMETERS AND GUIDELINES

Education Code Section 48915
Statutes 1993, Chapters 1255 and 1256

Education Code Section 48918
Statutes 1975, Chapter 1253; Statutes 1977, Chapter 965;
Statutes 1978, Chapter 668; Statutes 1983, Chapters 498 and 1302;
Statutes 1985, Chapter 856; Statutes 1987, Chapter 134;
Statutes 1990, Chapter 1231; and Statutes 1994, Chapter 146

Pupil Expulsions from School:
Additional Hearing Costs for Mandatory Recommendations for Expulsion

05-PGA-04 (CSM-4455)

Period of Reimbursement: October 11, 2003- June 30, 2006

I. Summary of the Mandate

In March 1994, claimant San Diego Unified School District (Claimant) filed a test claim with the Commission on State Mandates (Commission). As amended in April 1995, the test claim alleged a reimbursable state mandate for school districts to perform new activities in connection with the suspension and expulsion of public school students. After hearings in 1996 and 1997, the Commission adopted its statement of decision in May 1997, and on August 10, 1998, issued a corrected statement of decision. Among other things, the Commission determined that Education Code section 48915 mandated immediate suspensions, recommendations for expulsion, and expulsions for specified offenses. However, the Commission did not approve reimbursement for the due process hearing costs resulting from the state-mandated recommendations for expulsion since the hearing procedures were required by federal due process law. The Commission further determined that no subvention was required for costs of voluntary expulsions. The reimbursable activities were included in consolidated parameters and guidelines for *Suspensions, Expulsions, and Expulsion Appeals*, adopted on August 20, 1998.

The claimant challenged the Commission's decision, and in October 1999, filed a petition for writ of mandate in San Diego County Superior Court. The claimant alleged that it was entitled to all costs for mandatory expulsions. For voluntary expulsions, claimant alleged all costs for expulsion proceedings to the extent such proceedings exceeded federal law requirements. The matter was litigated in the lower courts and decided by the California Supreme Court in August 2004. The Supreme Court ruled, as follows:

“We conclude that Education Code section 48915, insofar as it compels suspension and mandates a recommendation of expulsion for certain offenses, constitutes a ‘higher level of service’ under article XIII B, section 6, and imposes a reimbursable state mandate for *all* resulting hearing costs—even those costs attributable to procedures required by federal law.

“We also conclude that *no* hearing costs incurred in carrying out those expulsions that are discretionary under Education Code section 48915 – including costs related to hearing procedures claimed to exceed the

requirements of federal law – are reimbursable. [. . .] to the extent that [section 48915] makes expulsions discretionary, it does not reflect a new program or a higher level of service related to an existing program. Moreover, even if the hearing *procedures* set forth in Education Code section 48918 constitute a new program or higher level of service, we conclude that *this* statute does not trigger any right to reimbursement, because the hearing provisions that assertedly exceed federal requirements are merely incidental to fundamental federal due process requirements and the added costs of such procedures are de minimis. For these reasons, we conclude such hearing provisions should be treated for purposes of ruling upon a request for reimbursement, as part of the nonreimbursable underlying *federal* mandate and not as a state mandate.” (Emphasis in original.)

(*San Diego Unified School District v. Commission on State Mandates* (2004) 33 Cal.4th 859, 867 (*San Diego Unified School District*).)

On November 1, 2004, the San Diego County Superior Court issued a peremptory writ of mandate, directing the Commission to amend its Statement of Decision dated August 10, 1998, in accordance with the ruling in *San Diego Unified School District*. The Supreme Court decision requires the state to reimburse school districts for “all resulting hearing costs—even those costs attributable to procedures required by federal law” for mandated “recommendations of expulsion for certain offenses,” back to the initial reimbursement period for the *Expulsions* test claim. (1993)

On May 26, 2005, the Commission on State Mandates (“Commission”) adopted its amended Statement of Decision consistent with the Supreme Court’s ruling in *San Diego Unified School District*.

II. Eligible Claimants

Any “school district,” as defined in Government Code section 17519, except for community colleges, which incurs increased costs as a result of this mandate, is eligible to claim reimbursement. Charter schools are not eligible claimants.

III. Period of Reimbursement

These parameters and guidelines are operative for initial reimbursement claims filed for increased costs beginning on October 11, 1993 through June 30, 2006.

Pursuant to Government Code section 17560, reimbursement for state-mandated costs may be claimed as follows:

1. A school district may file an estimated reimbursement claim by January 15 of the fiscal year in which costs are to be incurred, and, by January 15 following that fiscal year shall file an annual reimbursement claim that details the costs actually incurred for that fiscal year; or it may comply with the provisions of subdivision (b).
2. A school district may, by January 15 following the fiscal year in which costs are incurred, file an annual reimbursement claim that details the costs actually incurred for that fiscal year.

3. In the event revised claiming instructions are issued by the Controller pursuant to subdivision (c) of section 17558 between October 15 and January 15, a school district filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim.

Reimbursable actual costs for one fiscal year shall be included in each claim. Estimated costs for the subsequent year may be included on the same claim, if applicable. Pursuant to Government Code section 17561 (d)(1), all claims for reimbursement of initial years' costs shall be submitted within 120 days of the issuance of the State Controller's claiming instructions. If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed, except as otherwise allowed by Government Code section 17564.

IV. Reimbursable Activities

The claimant is only allowed to claim and be reimbursed for increased costs of reimbursable activities identified below. Increased cost is limited to the cost of an activity that the claimant is required to incur as a result of a mandate.

For each eligible claimant, the following activities are reimbursable:

A. Expulsion Hearings

If the expulsion hearing is for one of the following offenses:

- causing serious physical injury to another person, except in self defense;¹
- possession of any firearm,² knife,³ explosive,⁴ or other dangerous object⁵ of no reasonable use to the pupil at school or at a school activity off school grounds;
- unlawful sale of any controlled substance listed in Chapter 2 (commencing with Section 1053) of Division 10 of Health and Safety Code,⁶ except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis; or,
- robbery or extortion.⁷

Then the following additional activities are reimbursable:

1. Preparation for Expulsion Hearing

- Preparing and reviewing documents to be used during the expulsion hearing.
- Arranging hearing dates and assigning panel members and translators as needed.

¹ Education Code section 48915, subdivision (a)(1).

² Education Code section 48915, subdivision (c)(1).

³ Education Code section 48915, subdivision (a)(2).

⁴ Education Code section 48915, subdivision (c)(5).

⁵ Education Code section 48915, subdivision (a)(2); the word "device" is replaced with "object" to conform with text of this section.

⁶ Education Code section 48915, subdivision (c)(3).

⁷ Education Code section 48915, subdivision (a)(4).

2. Conducting Expulsion Hearing

- Attendance of the hearing officer or review panel and other district employees required to attend the expulsion hearing.

3. Hearing Officer or Panel's Expulsion Recommendation to the Governing Board

- Preparation and submission of the hearing officer or panel's findings of fact based solely on the evidence adduced at the hearing to recommend the expulsion of a pupil to the governing board.

4. Record of Hearing

- Maintaining a record of the hearing by any means which would allow for a reasonably accurate and complete written transcript of the proceeding to be made.

Costs for *Pupil Suspensions, Expulsions, and Expulsion Appeals* (CSM-4456, 4455, 4463) that were claimed for fiscal years 1993-1994 through 2005-2006 pursuant to the State Controller's claiming instructions for Program 176 may not be claimed and are not reimbursable under these parameters and guidelines.

V. Claim Preparation: Reasonable Reimbursement Methodology

The Commission is adopting a *reasonable reimbursement methodology* to reimburse school districts for all direct and indirect costs, as authorized by Government Code section 17557, subdivision (b), *in lieu of payment of total actual costs incurred for the reimbursable activities specified in Section IV. above.*

A. Reasonable Reimbursement Methodology

The definition of reasonable reimbursement methodology is in Government Code section 17518.5, as follows:

Government Code Section 17518.5

- (a) *Reasonable reimbursement methodology* means a formula for reimbursing local agency and school district costs mandated by the state that meets the following conditions:
 - (1) the total amount to be reimbursed statewide is equivalent to total estimated local agency and school district costs to implement the mandate in a cost-efficient manner.
 - (2) for 50 percent or more of eligible local agency and school district claimants, the amount reimbursed is estimated to fully offset their projected costs to implement the mandate in a cost-efficient manner.
- (b) Whenever possible, a *reasonable reimbursement methodology* shall be based on general allocation formulas, uniform cost allowances, and other approximations of local costs mandated by the state rather than detailed documentation of actual local costs. In cases when local agencies and school districts are projected to incur costs to implement a mandate over a period of more than one fiscal year, the determination of a reasonable reimbursement methodology may consider local costs and state reimbursements over a period of greater than one fiscal year, but not exceeding 10 years.

- (c) A reasonable reimbursement methodology may be developed by any of the following:
- (1) The Department of Finance.
 - (2) The Controller.
 - (3) An affected state agency.
 - (4) A claimant.
 - (5) An interested party,

B. Uniform Cost Allowances and Formula for Reimbursable Activities

The *reasonable reimbursement methodology* shall consist of uniform cost allowances to cover all direct and indirect costs of performing activities A. 1-4, as described under Section IV, Reimbursable Activities, and applied to a formula for calculating claimable costs.

1. The uniform cost allowances for reimbursement of activities, Section IV. A. 1-4 are *as follows*:

Reimbursable Component	Uniform Cost Allowances Fiscal Year 2005-2006
IV. A.1 Preparation for Expulsion Hearing	\$157.00
IV. A.2. Conducting Expulsion Hearing	\$196.16
IV. A.3 Hearing Officer or Panel's Expulsion Recommendation to the Governing Board	\$232.00
IV. A.4 Record of Hearing	\$2.00
Total	\$587.16

Uniform cost allowances for Fiscal Years 1993-94 through 2004-2005, shall be determined by adjusting the uniform cost allowance for Fiscal Year 2005-2006 by the Implicit Price Deflator referenced in Government Code section 17523. See attachment for the uniform cost allowances for Fiscal Years 1993-94 through 2004-2005.

2. Formula

Reimbursement for Section IV A. 1-4 is determined by multiplying the uniform cost allowance for the appropriate fiscal year by the number of mandatory recommendations for expulsion that resulted in expulsion hearings. If a hearing does not result, claimant may still claim increased costs incurred for Section IV.A.1, Preparation for Expulsion Hearing.

VI. RECORD RETENTION

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs based on this reasonable reimbursement methodology filed by a school district pursuant to this chapter⁸ is subject to the initiation of an audit by the Controller no later than

⁸ This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

School districts must retain documentation which supports the total number of mandatory expulsions initiated and hearings conducted during the period subject to audit.

VII. OFFSETTING REVENUES AND REIMBURSEMENTS

Any offsetting revenues and reimbursements the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate received from any source, including but not limited to, service fees collected, federal funds, and other state funds, shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement not later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1), issuance of the claiming instructions shall constitute a notice of the right of the school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon request of a local agency or school district, the Commission shall review the claiming instructions issued by the Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions and the Controller shall modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (d), and California Code of Regulations, title 2, section 1183.2.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The Statement of Decision, as modified pursuant to the Supreme Court decision in *San Diego Unified School District. v. Commission on State Mandates* (2004) 33 Cal.4th 859, is legally binding on all parties with respect to statutes claimed and determined by the Commission on State Mandates and provides the legal and factual basis for the parameters and guidelines. However, the Amended Statement of Decision does not address subsequent amendments to the test claim statutes. The support for the legal and factual findings is found in the administrative record for the test claim and the Supreme Court decision. The administrative record, including the Statement of Decision, as modified, and the Supreme Court decision is on file with the Commission.

Unit Cost Allocations – Additional Hearing Costs

Fiscal Year	Activity IV. A. 1 Preparation for Expulsion Hearing	Activity IV. A. 2 Conducting Expulsion Hearing	Activity IV.A. 3 Hearing Officer or Panel's Recommendation to Governing Board	Activity IV. A 4 Record of Hearing	Totals
1993-94	109.94	137.36	162.46	1.40	411.16
1994-95	113.11	141.32	167.14	1.44	423.02
1995-96	115.72	144.58	171.00	1.47	432.77
1996-97	118.20	147.68	174.66	1.51	442.05
1997-98	120.09	150.04	177.45	1.53	449.11
1998-99	122.64	153.24	181.23	1.56	458.67
1999-00	127.67	159.51	188.65	1.63	477.46
2000-01	132.66	165.75	196.03	1.69	496.14
2001-02	135.48	169.27	200.20	1.73	506.68
2002-03	140.30	175.30	207.33	1.79	524.72
2003-04	144.52	180.56	213.55	1.84	540.48
2004-05	150.77	188.37	222.79	1.92	563.84
2005-06	157.00	196.16	232.00	2.00	587.16

CLAIM FOR PAYMENT Pursuant to Government Code Section 17561 PUPIL EXPULSIONS FROM SCHOOL: ADDITIONAL HEARING COSTS FOR MANDATORY RECOMMENDATIONS FOR EXPULSION			For State Controller Use Only	PROGRAM <div style="font-size: 2em; font-weight: bold; text-align: center;">271</div>
(01) Claimant Identification Number			(19) Program Number 00271 (20) Date Filed (21) LRS Input	
(02) Claimant Name			(22) FORM-1, (03)	
Address			(23) FORM-1, (04)(a)(e)	
			(24) FORM-1, (04)(b)(e)	
			(25) FORM-1, (04)(c)(e)	
Type of Claim	Estimated Claim (03) Estimated <input type="checkbox"/> (04) Combined <input type="checkbox"/> (05) Amended <input type="checkbox"/>	Reimbursement Claim (09) Reimbursement <input type="checkbox"/> (10) Combined <input type="checkbox"/> (11) Amended <input type="checkbox"/>	(26) FORM-1, (04)(d)(e)	
			(27) FORM-1, (05)(e)	
			(28) FORM-1, (06)	
			(29) FORM-1, (07)	
Fiscal Year of Cost	(06)	(12)	(30)	
Total Claimed Amount	(07)	(13)	(31)	
Less: 10% Late Penalty		(14)	(32)	
Less: Prior Claim Payment Received		(15)	(33)	
Net Claimed Amount		(16)	(34)	
Due from State	(08)	(17)	(35)	
Due to State		(18)	(36)	
(37) CERTIFICATION OF CLAIM <p>In accordance with the provisions of Government Code § 17561, I certify that I am the officer authorized by the school district to file mandated cost claims with the State of California for this program, and certify under penalty of perjury that I have not violated any of the provisions of Government Code Sections 1090 to 1098, inclusive.</p> <p>I further certify that there was no application other than from the claimant, nor any grant or payment received, for reimbursement of costs claimed herein; and such costs are for a new program or increased level of services of an existing program. All offsetting savings and reimbursements set forth in the Parameters and Guidelines are identified, and all costs claimed are supported by source documentation currently maintained by the claimant.</p> <p>The amounts for Estimated Claim and/or Reimbursement Claim are hereby claimed from the State for payment of estimated and/or actual costs set forth on the attached statements. I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Signature of Authorized Officer</p> <hr/> </div> <div style="width: 45%;"> <p>Date</p> <hr/> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Type or Print Name</p> <p>(38) Name of Contact Person for Claim</p> <hr/> </div> <div style="width: 45%;"> <p>Title</p> <hr/> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Telephone Number</p> <hr/> </div> <div style="width: 45%;"> <p>E-mail Address</p> <hr/> </div> </div>				

Program 271	PUPIL EXPULSIONS FROM SCHOOL: ADDITIONAL HEARING COSTS FOR MANDATORY RECOMMENDATIONS FOR EXPULSION Certification Claim Form Instructions	FORM FAM-27
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- (01) Enter the payee number assigned by the State Controller's Office.
- (02) Enter your Official Name, County of Location, Street or P. O. Box address, City, State, and Zip Code.
- (03) If filing an estimated claim, enter an "X" in the box on line (03) Estimated.
- (04) If filing a combined estimated claim on behalf of districts within the county, enter an "X" in the box on line (04) Combined.
- (05) If filing an amended estimated claim, enter an "X" in the box on line (05) Amended.
- (06) Enter the fiscal year in which costs are to be incurred.
- (07) Enter the amount of the estimated claim. If the estimate exceeds the previous year's actual costs by more than 10%, complete Form-1 and enter the amount from line (08).
- (08) Enter the same amount as shown on line (07).
- (09) If filing a reimbursement claim, enter an "X" in the box on line (09) Reimbursement.
- (10) If filing a combined reimbursement claim on behalf of districts within the county, enter an "X" in the box on line (10) Combined.
- (11) If filing an amended reimbursement claim, enter an "X" in the box on line (11) Amended.
- (12) Enter the fiscal year for which actual costs are being claimed. If actual costs for more than one fiscal year are being claimed, complete a separate form FAM-27 for each fiscal year.
- (13) Enter the amount of the reimbursement claim from Form-1, line (08). The total claimed amount must exceed \$1,000.
- (14) Reimbursement claims must be filed by **February 5, 2007** and actual claims for FY 06-07 and estimated claims for FY 07-08 must be filed by **January 15, 2008**, otherwise the claims shall be reduced by a late penalty. Enter zero if the claim was timely filed, otherwise, enter the product of multiplying line (13) by the factor 0.10 (10% penalty), not to exceed \$1,000.
- (15) If filing a reimbursement claim or a claim was previously filed for the same fiscal year, enter the amount received for the claim. Otherwise, enter a zero.
- (16) Enter the result of subtracting line (14) and line (15) from line (13).
- (17) If line (16), Net Claimed Amount, is positive, enter that amount on line (17), Due from State.
- (18) If line (16), Net Claimed Amount, is negative, enter that amount on line (18), Due to State.
- (19) to (21) Leave blank.
- (22) to (36) Reimbursement Claim Data. Bring forward the cost information as specified on the left-hand column of lines (22) through (36) for the reimbursement claim, e.g., Form-1, (04)(a)(e), means the information is located on Form-1, block (04) (a), column (e). Enter the information on the same line but in the right-hand column. Cost information should be rounded to the nearest dollar, i.e., no cents. Indirect costs percentage should be shown as a whole number and without the percent symbol, i.e., 7.548% should be shown as 8. **Completion of this data block will expedite the payment process.**
- (37) Read the statement "Certification of Claim." If it is true, the claim must be dated, signed by the district's authorized officer, and must include the person's name and title, typed or printed. **Claims cannot be paid unless accompanied by an original signed certification. (To expedite the payment process, please sign the form FAM-27 with blue ink, and attach a copy of the form FAM-27 to the top of the claim package.)**
- (38) Enter the name, telephone number, and e-mail address of the person to contact if additional information is required.

SUBMIT A SIGNED ORIGINAL, AND A COPY OF FORM FAM-27, WITH ALL OTHER FORMS AND SUPPORTING DOCUMENTS TO:

Address, if delivered by U.S. Postal Service:

**OFFICE OF THE STATE CONTROLLER
ATTN: Local Reimbursements Section
Division of Accounting and Reporting
P.O. Box 942850
Sacramento, CA 94250**

Address, if delivered by other delivery service:

**OFFICE OF THE STATE CONTROLLER
ATTN: Local Reimbursements Section
Division of Accounting and Reporting
3301 C Street, Suite 500
Sacramento, CA 95816**

Program 271	MANDATED COSTS PUPIL EXPULSIONS FROM SCHOOL: ADDITIONAL HEARING COSTS FOR MANDATORY RECOMMENDATIONS FOR EXPULSION CLAIM SUMMARY				FORM 1
	(01) Claimant		(02) Type of Claim Reimbursement <input type="checkbox"/> Estimated <input type="checkbox"/>		
Claim Statistics					
(03) Number of mandatory recommendations for expulsion that resulted in expulsion hearings					
(04) Unit Cost Allowance					
(a)	(b)	(c)	(d)	(e)	
Preparation for Expulsion Hearing Rate for 1993-94FY	Conducting Expulsion Hearing Rate for 1993-94 FY	Hearing Officer or Panel's Expulsion Recommendation to Governing Board Rate for 1993-94 FY	Record of Hearing Rate for 1993-94 FY	Total	
\$109.94				(3) x (04)(a)	
	\$137.36			(3) x (04)(b)	
		\$162.46		(3) x (04)(c)	
			\$1.40	(3) x (04)(d)	
(05) Total Cost					
Cost Reduction					
(06) Less: Offsetting Savings					
(07) Less: Other Reimbursements					
(08) Total Claimed Amount					Line (05)(e) – {Line (06) + Line (07)}

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**PUPIL EXPULSIONS FROM SCHOOL: ADDITIONAL HEARING COSTS FOR
MANDATORY RECOMMENDATIONS FOR EXPULSION
INSTRUCTIONS**

FORM
1

- (01) Enter the name of the claimant.
- (02) Type of Claim. Check a box, Reimbursement or Estimated, to identify the type of claim being filed. Enter the fiscal year of costs.

Form 1 must be filed for a reimbursement claim. Do not complete form 1 if you are filing an estimated claim and the estimate does not exceed the previous fiscal year's actual costs by more than 10%. Simply enter the amount of the estimated claim on form FAM-27, line (07). However, if the estimated claim exceeds the previous fiscal year's actual costs by more than 10%, form 1 must be completed and a statement attached explaining the increased costs. Without this information the estimated claim will automatically be reduced to 110% of the previous fiscal year's actual costs.

- (03) Enter the number of mandatory recommendations for expulsion that resulted in expulsion hearings during the fiscal year of claim.

Fiscal Year	Activity IV. A. 1 Preparation for Expulsion Hearing	Activity IV. A. 2 Conducting Expulsion Hearing	Activity IV. A. 3 Hearing Officer or Panel's Recommendation to Governing Board	Activity IV. A. 4 Record of Hearing	Totals
1993-94	109.94	137.36	162.46	1.40	411.16
1994-95	113.11	141.32	167.14	1.44	423.02
1995-96	115.72	144.58	171.00	1.47	432.77
1996-97	118.20	147.68	174.66	1.51	442.05
1997-98	120.09	150.04	177.45	1.53	449.11
1998-99	122.64	153.24	181.23	1.56	458.67
1999-00	127.67	159.51	188.65	1.63	477.46
2000-01	132.66	165.75	196.03	1.69	496.14
2001-02	135.48	169.27	200.20	1.73	506.68
2002-03	140.30	175.30	207.33	1.79	524.72
2003-04	144.52	180.56	213.55	1.84	540.48
2004-05	150.77	188.37	222.79	1.92	563.84
2005-06	157.00	196.16	232.00	2.00	587.16

- (05) Total Cost. Enter the total of column (e).
- (06) Less: Offsetting Savings, if applicable. Enter the total savings experienced by the claimant as a direct result of this mandate. Submit a detailed schedule of savings with the claim. If the savings were already deducted on form 1A, it may not be deducted here.
- (07) Less: Other Reimbursements, if applicable. Enter the amount of other reimbursements received from any source including, but not limited to, service fees collected, federal funds, and other state funds, which reimbursed any portion of the mandated cost program. Submit a schedule detailing the reimbursement sources and amounts. If other reimbursements were already deducted on form 1A, it may not be deducted here.
- (08) Total Claimed Amount. Subtract the sum of Offsetting Savings, line (06), and Other Reimbursements, line (07), from Total Cost, line (05)(e). Enter the total on this line and carry the amount forward to form FAM-27, line (13) for the Reimbursement Claim.